

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFN

Applicant: Scott Freeberg

Title: OCT 04 2004 GROSS-CHECKING OF TRANSTHORACIC IMPEDANCE AND ACCELERATION SIGNALS

DOCKET No. 79.652US1

Filed: October 29, 2003

Examiner: Unknown

Serial No.: 10/696,729

Due Date: N/A

Group Art Unit: 3762

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
 A Communication Concerning Related Applications (2 pgs.).
 An Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs.), and copies of 12 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: 
Atty: David W. Black
Reg. No. 42,331

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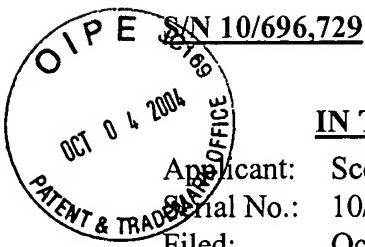
Name

JAMES KANGOSIK

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott Freeberg Examiner: Unknown
Serial No.: 10/696,729 Group Art Unit: 3762
Filed: October 29, 2003 Docket: 279.652US1
Title: CROSS-CHECKING OF TRANSTHORACIC IMPEDANCE AND
ACCELERATION SIGNALS

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/696,729

Filing Date: October 29, 2003

Title: CROSS-CHECKING OF TRANSTHORACIC IMPEDANCE AND ACCELERATION SIGNALS

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Dkt: 279.652US1

The present application is a U.S. national patent application filed after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicant's Representative at the below-listed Telephone number if there are any questions regarding this communication.

Respectfully submitted,

SCOTT FREEBERG

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6911

Date

September 30, 2004

By



David W. Black

Reg. No. 42,331

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Name
JAMES KARVUSIK

Signature
James Karvusik

S/N 10/696,729

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Scott Freeberg
Serial No.: 10/696,729
Filed: October 29, 2003
Title: CROSS-CHECKING OF TRANSTHORACIC IMPEDANCE AND ACCELERATION SIGNALS

Examiner: Unknown

Group Art Unit: 3762

Docket: 279.652US1

COMMUNICATION CONCERNING RELATED APPLICATIONS

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/032,731 6,076,015	February 27, 1998	279.078US1	RATE ADAPTIVE CARDIAC RHYTHM MANAGEMENT DEVICE USING TRANSTHORACIC IMPEDANCE
09/316,690 6,161,042	May 21, 1999	279.078US2	RATE ADAPTIVE CARDIAC RHYTHM MANAGEMENT DEVICE USING TRANSTHORACIC IMPEDANCE
09/492,912 6,463,326	January 20, 2000	279.078US3	RATE ADAPTIVE CARDIAC RHYTHM MANAGEMENT DEVICE USING TRANSTHORACIC IMPEDANCE
10/735,598	December 12, 2003	279.441US1	AUTOMATICALLY CONFIGURABLE MINUTE VENTILATION SENSOR
10/612,388	July 2, 2003	279.582US1	CARDIAC CYCLE SYNCHRONIZED SAMPLING OF IMPEDANCE SIGNAL

COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/696,729

Filing Date: October 29, 2003

Title: CROSS-CHECKING OF TRANSTHORACIC IMPEDANCE AND ACCELERATION SIGNALS

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Dkt: 279.652US1

10/268,023 October 8, 279.078US4
2003/0105499 2002
A1

RATE ADAPTIVE CARDIAC RHYTHM
MANAGEMENT DEVICE USING
TRANSTHORACIC IMPEDANCE

Respectfully submitted,

SCOTT FREEBERG

By Applicant's Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6911

Date, September 30, 2004

By



David W. Black
Reg. No. 42,331

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JAMES KAN YUSIK
Name


Signature

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		<i>Complete if Known</i>	
		Application Number	10/696,729
		Filing Date	October 29, 2003
		First Named Inventor	Freeberg, Scott
		Group Art Unit	3762
		Examiner Name	Unknown
		Attorney Docket No: 279.652US1	

*OCT 4 2004
USPTO
PATENT & TRADEMARK OFFICE
Sheet 3 of 3*

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
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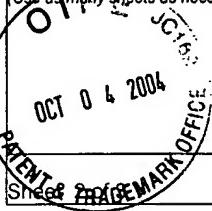
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/696,729
Filing Date	October 29, 2003
First Named Inventor	Freeberg, Scott
Group Art Unit	3762
Examiner Name	Unknown

Attorney Docket No: 279.652US1

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EXAMINER**DATE CONSIDERED**

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

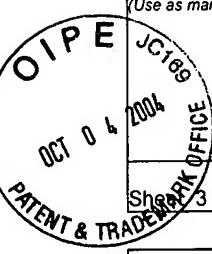
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Complete if Known

Application Number	10/696,729
Filing Date	October 29, 2003
First Named Inventor	Freeberg, Scott
Group Art Unit	3762
Examiner Name	Unknown

Sheets 3 of 3

Attorney Docket No: 279.652US1

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		FREEBERG, S. , "AUTOMATICALLY CONFIGURABLE MINUTE VENTILATION SENSOR", <u>US Patent Application Ser. No. 10/735,598</u> , filed December 12, 2003 (279.441US1), 35 Pages	
		HAUCK, JOHN A., "A Minute Ventilation Sensor Derived from Intra-thoracic Electric Impedance as a Cardiac Pacemaker Rate Modulator", <u>University of Minnesota Master Thesis</u> , (June 1993),Pages 80-86 & 97	
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		KIM, J. , et al., "CARDIAC CYCLE SYNCHRONIZED SAMPLING OF IMPEDANCE SIGNAL", <u>US Application Ser. No. 10/612,388</u> , filed July 2, 2003 (279.582US1), 28 Pages	

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached